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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/743,480

10/17/2001

Gunter Stemple

3701/49519

2497

23911 7590 11/04/2009  
CROWELL & MORING LLP  
INTELLECTUAL PROPERTY GROUP  
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EXAMINER

EREZO, DARWIN P

ART UNIT

PAPER NUMBER

3773

MAIL DATE

DELIVERY MODE

11/04/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* GUNTER STEMPLE

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Application 09/743,480  
Technology Center 3700

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Mailed: November 04, 2009

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Before *JOYCE GUNTER-RILEY, Review Paralegal.*

GUNTER-RILEY, Review Paralegal.

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on October 26, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on September 22, 2009 the Appellant filed an Amendment After Final in response to the Final Rejection mailed September 10, 2007. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed amendment will or will not be entered for purposes of appeal. Clarification from the Examiner is required.

CONCLUSION

Accordingly, it is hereby

ORDERED that the application is returned to the Examiner for further consideration.

- 1) appropriately respond to the Amendment After Final;
  - 2) vacate the Examiner's Answer mailed July 24, 2009;
  - 3) provide a new Examiner's Answer including a correct "Status of Amendment" section in addition to correction to other sections as required;
- and
- 4) for such further action as may be appropriate.

Application No. 09/743,480

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If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

/jgr/

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